

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(CASE No. 05-739)**

In Re Application of:

Confirmation No.: 1388

Matthew James Thomas

Serial No.: 10/549,732

Group Art Unit: 3736

Filing Date: September 19, 2005

Examiner: Emily M. Lloyd

Title: Scoring Estrogen and Progesterone Receptors Expression Based on Image Analysis

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

This is a response to the January 6, 2009 Notice Of Non-Complaint Amendment for the above-caption patent application. In the Notice, the Examiner indicated that the Response to the Notice of Non-Complaint Amendment filed on October 20, 2008 for this case was non-compliant because the period from the end of claim 8 was removed without any indication of such removal.

Attached is an "Amendments to the Claims" section in which claim 8 is corrected to show a line under the period at the end of the claim.

Respectfully submitted,

**MCDONNELL BOEHNEN  
HULBERT & BERGHOFF LLP**

Date: January 14, 2009

By: /A. Blair Hughes/  
A. BLAIR HUGHES  
Reg. No. 32,901  
312-913-2123